

# **EXHIBIT C**

24 February, 2007

In the United States Bankruptcy Court for the District of Delaware

W.R. Grace and Co. et al debtor

Chapter 11 Case No. 01-01139 (JFK) (Jointly Administered)

Re: Debtor's Motion and Memorandum for an Order Pursuant to F.R.B.P. 7056 Disallowing Time Barred Claims and Disallowing Claims Involving Products not Made by Grace

Woodbury Place Apartments claimant #2763  
2834 Woodbury Dr., San Antonio, Texas 78217 (location)  
3942 Pleasure Hill, San Antonio, Texas 78229 (mailing address)

Contact information:

Alfred V. Williams, President Tamale Blanca, General Partner for Woodbury Place Apts. Ltd.

Reply to the:

"Debtor's Motions under F.R.B.P. 7056"

First, apologies to the Court for not being in telephone contact during the hearing of 21 February, 2007. There was no telephone number listed for Court Call and being pro se, my interpretation of the instructions was that Debtor's counsel would make arrangements. I was never contacted by Debtor's Counsel. I apologize for any misunderstanding.

As pertains to F.R.B.P. 7056 - Products not made by Grace:

Testimony by Grace's expert, Richard J. Lee, does not determine that the asbestos found in Claimant's property is not a Grace product (see page 20 of Appendix B of Mr. Lee's report, project # LSH506355). In fact Mr. Lee's only finding that points to the possibility of the asbestos not being a Grace product is that Claimant's asbestos sample includes cellulose which Grace didn't add during manufacture. Any contractor could add components to Grace's product on site to enhance the product or to make it go farther; therefore, Mr. Lee's finding does not prove that the asbestos is not a Grace product. Furthermore, the cellulose could be a contaminate from other building products that were accidentally included in the sample presented for testing.

As pertains to F.R.B.P. 7056 - Time-Barred Claims:

Grace's motion is based on knowledge that asbestos was known to be in the building more than 2 years before the claim was filed. Debtor's argument for a determination of the start time for the statute of limitations is based on what Debtor feels is a general common knowledge of an immediate health problem associated with asbestos. Debtor feels that since it is common knowledge that asbestos can pose a health problem, a statute of limitations start time should be based on the time when asbestos was known to be in the property. Debtor's argument is erroneous. Claimant isn't arguing that an immediate health problem is present. In fact claimant agrees there is no immediate health problem; therefore, a statute of limitation start time should be based as described below.

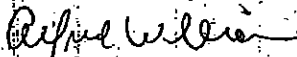
Claimant first became aware of the extreme financial problem when claimant received a negative determination from LVI Services concerning asbestos removal. This determination occurred on or about 5 November, 2002 (see enclosed exhibits). Grace had developed a product (named DMA) which would neutralize asbestos; however, the asbestos was determined to be too deeply imbedded in the sample presented to LVI Services for DMA to be effective at claimant's property. Also, approximately 4 years ago claimant was informed that tenants must sign a lease addendum stating they are aware of the presence of asbestos on the property, and it is not a present health hazard. The negative financial impact (extreme costs

EXHIBIT C

for manual removal of the asbestos and the negative effects the presence of asbestos has on rentals) has been detailed in previous submissions.

Grace is erroneously basing the time start for the statute of limitations on the time asbestos was known to be in the claimant's property (approximately 1989). The appropriate start time should be based on a time when it was known that asbestos would be an extreme financial burden (approximately November 2002). And as shown above that time falls within both state and/or federal statute of limitations guidelines, as the suit was filed 4 February, 2003.

Thanking the Court for its consideration,



Alfred V. Williams

cc: Council for debtors- Janet Baer, Kirkland & Ellis LLP, and O'Neil, Pachulski Et al and Restivo, Jr.,  
Reed Smith LLP.



PRODUCT INFORMATION

# DMA®

## Digestion Material for Asbestos

### Description

DMA® digestion agent is a proprietary new formulation for the chemical digestion of asbestos. It has been designed to permanently destroy chrysotile asbestos contained in porous materials.

*DMA digestion agent has received the prestigious R&D 100 Award, recognizing it as one of the "100 most technologically significant new products and processes" of 1999.*

DMA digestion agent is spray-applied as a foam onto the surface and soaks into porous materials, penetrating throughout to contact and destroy the chrysotile asbestos contained within. After treatment is complete, the material can remain in-place and is no longer considered "asbestos-containing".

The U.S. Patent Office has issued seven U.S. patents on the unique DMA formulation and its method of application. The technology was jointly developed by W.R. Grace & Co.-Conn. and the Brookhaven National Laboratory (BNL).

### Product Applications

The primary application for DMA material is the digestion of



DMA® soaks into the asbestos-containing material, penetrating throughout to contact and destroy the chrysotile asbestos. The treated fireproofing will retain the fire rating of the original asbestos-containing material.

chrysotile asbestos in gypsum-vermiculite fireproofing (often referred to as cementitious fireproofing). Based on the results of fire tests conducted at Underwriters Laboratories Inc. (UL), DMA treatment of fireproofing will maintain the fire rating of the original asbestos-containing material. The fireproofing treated with DMA digestion agent remains a strong bond to steel and concrete surfaces and has excellent mechanical properties.

DMA digestion agent can also destroy chrysotile asbestos contained in other porous materials. Both acoustical plaster and popcorn ceilings have been successfully treated. These materials are present

in a variety of buildings throughout the U.S. and Canada. Grace and BNL scientists are currently examining additional applications for the technology.

For information on the effectiveness of DMA with a particular asbestos-containing material, contact the Grace DMA Development Group at the phone number listed in this Product Information Sheet.

### Benefits

DMA digestion agent provides a new option to building owners currently managing asbestos-containing materials (ACM). A summary of the benefits that DMA digestion agent offers is as follows:

**GRACE**  
Construction Products

17th printing

- Digestion Chemistry**  
DMA digestion agent reacts with the chrysotile asbestos to modify its chemical composition and eliminate its fibrous structure. Chrysotile asbestos consists of alternating layers of magnesia and silica arranged in a tubular geometry. The active DMA

Several layers of foam are typically applied to obtain the necessary DMA dosage. Each layer of foam is absorbed completely into the substrate before the subsequent foam layer is applied. The DMA dosage depends upon the thickness and

W.R. Grace & Co.-Conn.  
7500 Grace Drive  
Columbia, MD 21044

[illegible]

**GRACE**  
Construction Products

company that does  
this work  
LVH

954 - 340 - 1311

Merkin Churchill

31 Oct  
by message

LVI Environmental remediation and demolition services

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## LVI SERVICES INC.

**ABATEMENT and DEMOLITION NATIONWIDE**  
**"Our mission is to exceed client expectations"**

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### SERVICES

#### ASBESTOS ABATEMENT

The asbestos abatement industry is one of the country's most highly regulated industries. LVI's primary business since 1986 has been the removal, encapsulation and management of asbestos containing materials.

Our services include the control of airborne carcinogenic fibers, the removal in a controlled environment and the disposal of these materials to approved landfills. Our experience covers every type of property, every industry and every kind of material that is known to be asbestos containing.

Nationwide, LVI possesses the experienced personnel, equipment and technologies to accomplish any asbestos project, large or small, simple or complex.

LVI's EMR and OSHA incident rates are a testament to our promotion of a healthy and safe work environment.

LVI Environmental has been granted a license to utilize a new patented product developed by W.R. Grace & Co. which is capable of destroying asbestos in installed fireproofing without diminishing the existing fire-resistive performance of the fireproofing material on columns or beams. The process is the first to chemically destroy asbestos without first removing fireproofing.

For further information, please contact Burton T. Fried at our corporate headquarters via e-mail or by calling 1 (888) LVI CORP, extension 661

#### LEAD PAINT ABATEMENT

LVI's investment and experience in people, safety, regulatory compliance and innovative solutions has prepared us to be the leader in the relatively new field of lead abatement.

Our nationwide team has accomplished more unique lead abatement projects than anyone else in the industry. Specific projects include many Department of Defense facilities, bridges, multi-family housing projects, industrial facilities and ongoing work for large public utilities and hospitals.

New federal, state and local regulations controlling lead abatement are soon to be in place all over the country. Our knowledge and experience with area regulators and local regulation positions LVI to better serve this new industry.

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and E mail

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584-2677  
Certified - LVI  
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## DEMOLITION

LVI Demolition Services is a total turnkey demolition operation. LVI performs these services for both commercial and industrial Fortune 500 clients. LVI will handle projects involving total environmental remediation including the removal of all asbestos containing materials, PCB containing light ballasts, transformers and contaminated soil, hazardous waste removal and complete remediation of underground & aboveground storage tanks.

At the completion of the environmental hazards phase of work, LVI then self performs the demolition component of the project, such as: interior demolition of a retail store's fixtures, drop ceilings, HVAC ductwork, and all electrical and fire protection services. Complete exterior work includes entire manufacturing or commercial building walls, all steel beams, and concrete floors.

LVI has invested in the latest state-of-the-art demolition equipment necessary to perform large-scale concrete cutting, crushing and separation operations and also has powerful steel cutting and dismantling equipment capabilities.

LVI Demolition Services has performed major projects in demolishing entire resort casinos, Hollywood movie sets, industrial manufacturing and chemical plants, power plants, and metal mining facilities.

## MOLD REMEDIATION - FIRE AND WATER RESTORATION

Water damage, especially in the areas around pipes and fittings, wet pipe insulation, roof leaks, and in crawl spaces or water closets can be a source for significant mold growth. These toxic molds are particularly harmful; rendering indoor environments unacceptable for human occupancy. Our experienced management and labor force are prepared to respond to any emergency requiring the cleanup of indoor air contamination from building components caused by toxic molds.

Prompt remediation of contaminated material and infrastructure repairs is the primary response to mold contamination in buildings. All molds need is water and a nutrient source to grow; with this businesses must consider decontamination services. Our highly-trained personnel respond quickly and provide cost-effective mold decontamination, structural and HVAC decontamination, basement decontamination, disinfections, HEPA Vacuuming, sanitizing, building containment, and duct cleaning.

## BIOLOGICAL-CHEMICAL DECONTAMINATION

In a response to a national initiative to combat domestic chemical and biological attacks, LVI has trained a highly specialized group to quickly respond to any release of biological or chemical agents. LVI's methods can be used in the most sensitive areas, with minimal disruption in office buildings, banks, airports, retail malls, hospitals, government buildings, industrial plants utilities, and educational institutions. LVI's specialized bio-chemical remediation response group is on call 24 hours a day, seven days a week to meet any emergency decontamination needs with a response system that can act quickly to anthrax, botulism, pneumonic plague, small pox, cholera, staphylococcal enterotoxin, sarin, tabun, VX, soman, cyanide, mustard/blistering agents.

## NATIONWIDE 24-HOUR EMERGENCY RESPONSE

Environmental emergencies have no respect for the clock. In fact, they often occur at the worst possible times, frequently causing considerable damage, as well as disruption and loss of business. LVI Environmental Services is the first and only national environmental remediation company to offer its clients a 24-hour hotline, 365 days a year, with immediate

response to any asbestos or lead-based paint environmental emergency anywhere in the Continental U.S. Through a nationwide network of LVI offices, we can respond to any asbestos or lead-based paint emergency, whether small or catastrophic, at no cost for the service availability. Clients are billed at pre-approved low rates only for the services used. This unique service is now available to facility owners, insurers, governmental agencies, hygiene firms, real property managers and environmental managers of from one to over 2,000 facilities anywhere in the U.S.A.

### **FIREPROOFING**

LVI specializes in the application of spray applied fireproofing to structural steel and re-spray service after environmental projects. LVI delivers project results which meet all "code" related requirements and specifications.

### **NoFire**

LVI has agreed to market and apply NoFire fire retardant coating nationwide under its own label for all applications and areas where increased fire protection is required. Manufactured by NoFire Technologies Inc., NoFire offers superior protection against heat and fire applications for the construction, telecommunication, power plant, utility, automotive, marine, military and housing industries.

### **LVI STAFFING**

LVI Staffing offers environmental outsourcing by providing experienced and licensed asbestos, lead and hazmat trained workers for your project. You maintain control of all day-to-day operations with LVI providing as many experienced, licensed workers as you need. LVI handles payroll, payroll related expenses, training and compliance procedures. Operating through 20 offices nationwide, we can respond anywhere in the United States. Let LVI lower your employee costs, payroll expenses and eliminate training programs, paperwork and compliance procedures while providing licensed, experienced and trained personnel for as long or as short duration required. Call (888) 584-2877 for more information.

For further information, please contact Burton T. Fried at our corporate headquarters via e-mail or by calling 1 (888) LVI CORP, extension 681

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